

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES EDWARD TAYLOR, JR.,
Plaintiff,
v.
HO, et al.,
Defendants.

No. 2:23-cv-0005 DJC AC P

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. Judgement was entered on October 23, 2024. ECF No. 44. On November 5, 2024, defendant submitted a bill of costs. ECF No. 45. Two days later, the court received plaintiff's notice of change of address stating that he had been transferred to California State Prison, Los Angeles County. ECF No. 46. There is no indication that defendant re-served the bill of costs on plaintiff's new address.¹

Federal Rule of Civil Procedure 54(d)(1) provides that “[t]he clerk may tax costs on 14 days' notice.” Because plaintiff is a prisoner proceeding pro se, he is required to file documents

¹ The California Department of Corrections and Rehabilitation's inmate locator website indicates that plaintiff has since been transferred to the California Correctional Institution. Because plaintiff is housed at a prison that has different mailing addresses depending upon the facility within the prison at which he is housed, he will be required to file a notice of change of address specifying his proper mailing address. In the interim, the Clerk of the Court will be directed to update the docket with the prison's general mailing address.

1 by mail, which creates unavoidable, though usually minor, delays in the court receiving his
2 filings. These delays can occasionally result in filings by the court or opposing party being sent
3 to the wrong address when they are filed at the same time plaintiff is transferred to another prison.
4 It appears that such a situation has occurred in this case and that plaintiff has not received notice
5 of the bill of costs. Defendant will therefore be given an opportunity to either re-serve the bill of
6 costs or file a certificate of service showing that they re-served the notice on plaintiff after his
7 notice of change of address was filed.

8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. The Clerk of the Court is directed to update the docket to reflect that plaintiff's
10 address of record is California Correctional Institution, P.O. Box 1031, Tehachapi, CA 93581;
11 2. Within fourteen days of the service of this order, plaintiff shall file a notice of change
12 of address that provides his facility-specific mailing address; and
13 3. Within fourteen days of the service of this order, defendant shall either re-serve
14 plaintiff with the bill of costs at his current address or file a certificate of service showing that he
15 re-served the bill of costs after plaintiff filed his notice of change of address.

16 DATED: December 18, 2024

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18 ALLISON CLAIRE
19 UNITED STATES MAGISTRATE JUDGE
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